IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 29TH NOVEMBER 2006 / 8TH AGRAHAYANA 1928

Bail Appl..No. 7009 of 2006()

CRIME NO.207/06 OF KEEZHVAIPUR POLICE STATION

PETITIONER/2ND ACCUSED:

SABU ALEX, AGED 40, S/O. MATHAI,
PUTHENPARAMPIL, ANICKAD,
MALLAPPALLY WEST P.O.

BY ADV. SRI.K.SASIKUMAR
SRI.C.DEVARAJAN

RESPONDENT: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 7009 OF 2006

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DATED THIS THE 29th DAY OF NOVEMBER, 2006

O R D E R

Petitioner seeks anticipatory bail on the allegation that the Keezhvaipur Police are intending to arrest and harass the petitioner in connection with Crime No.207/06 registered for offences punishable under sections 452, 427, 506(ii) and 294(b) read with section 34 IPC. The occurrence forming the subject mater of the aforesaid crime took place on 5.11.2006.

2. The learned Public Prosecutor on instructions submitted that even though the petitioner was originally the second accused in the above crime, he was subsequently deleted and the Police are still suspecting his involvement in the case. This is sufficient to hold that the apprehension entertained by the petitioner is true. Accordingly, I am inclined to grant anticipatory bail to the petitioner. A direction is therefore issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. Petitioner shall not commit any offence while on bail.

5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn